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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**ATTORNEY'S DOCKET NO.**  
X12451A

SERIAL NO.	FILING DATE	EXAMINER	GROUP ART UNIT
09/853,859	May 11, 2001	J. Weber	1651

**IN RE APPLICATION OF**

Charles Jack Fisher, et al.

RECEIVED  
DEC 24 2003  
TECHNICAL 12/24/2003

**TO THE COMMISSIONER FOR PATENTS:**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated June 24, 2003 of the Primary Examiner finally rejecting Claims 11-17.

- ( ) Notice of Appeal fee not required (fee paid in prior appeal of this application)
- (X) Notice of Appeal fee \$330.00
- (X) Applicant(s) petition(s) under 37 C.F.R. 1.136 for an extension of time to file the foregoing Notice of Appeal as follows:
  - ( ) One month (\$110.00)
  - ( ) Two months (\$420.00)
  - (X) Three months (\$950.00)

Please charge the fees indicated in the amount \$1,280.00 to Deposit Account No. 05-0840.

The Commissioner is hereby authorized to charge any additional fees which may be required by this or any related paper, or credit any overpayment to Deposit Account No. 05-0840.

Two copies of this sheet are enclosed.

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December 15, 2003

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below:

By KB Rhoades **ELI LILLY AND COMPANY** Date 12-15-03